

REMARKS

In the Office Action dated February 10, 2005, the Examiner required an election under 35 U.S.C. §121 between what was characterized as the following inventions:

- I. Claims 1 and 2, drawn to a filter top lock, classified in class 70, subclass 63; and
- II. Claim 3, drawn to an animal isolation caging system with ventilated rack, classified in class 119, subclass 419.

According to the Examiner, Inventions I and II are related as subcombinations disclosed as usable together in a single combination, and invention II has a separate utility such as a ward for sick or injured animals.

Applicants respectfully maintain that the restriction requirement is not proper and withdrawal of the restriction requirement and examination of claims 1-3 is respectfully requested.

Notwithstanding the above, in order to comply with 37 C.F.R. §1.143, Applicants hereby provisionally elect Invention I, claims 1 and 2, drawn to a filter top lock, to prosecute in this application.

Applicants' provisional election is made without prejudice and Applicants respectfully reserves the right to file later divisional applications directed to the claim not elected.

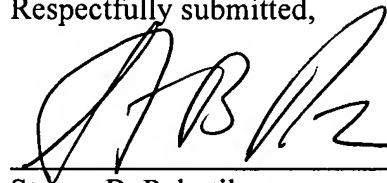
Applicants respectfully submit that all outstanding requirements have been addressed and are now either overcome or moot. Favorable consideration and prompt allowance of this application is respectfully requested. In the event that there are any

Application Serial No. 10/765,326
Response dated March 9, 2005
Response to Office Action of February 10, 2005

questions, or should additional information be required, please do not hesitate to contact Applicants' attorney at the number listed below.

No fee is deemed necessary in connection with the filing of this Election with Traverse. However, if any fee is required, the Examiner is hereby authorized to charge the amount of such fee to Deposit Account No. 19-4709.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. B. Pokotilow', written over a horizontal line.

Steven B. Pokotilow
Registration No. 26,405
Attorney for Applicants
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, New York 10038
212-806-5400